

10/6/13

CUSD Board Meetings



Tuesday, October 8, 2013
Regular Meeting of the Board of Trustees

5:00 p.m.
COMPTON UNIFIED SCHOOL DISTRICT
501 South Santa Fe Avenue
Compton, CA 90221

A. OPENING

1. Call to Order - 5:00 p.m. - Mr. Micah Ali, Board President
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. PUBLIC COMMENTS on CLOSED SESSION ITEMS
6. Hear Specific Charges Against Employee(s) if Employee(s) Received a Disciplinary Notice and Requests That Charges be Heard in Open Session

B. COMMUNICATIONS

1. Student Performance - "The PBIS Experience" (McKinley Elementary/Educational Services)
2. Student Performances - Willowbrook Drumline and Cheerleader Team (Educational Services)
3. Recognition – Recipients of Doctoral Degrees (Educational Services)

C. CLOSED SESSION

1. 13/14 046a - MOTION TO RECESS TO CLOSED SESSION TO CONSIDER ITEMS SET FORTH on the CLOSED SESSION AGENDA, PURSUANT TO GOVERNMENT CODE SECTION 54958 - TIME BEING: _____ p.m.
2. Public Employee Appointments (Pursuant to Government Code Section 54957)
3. Public Employee Discipline/Dismissal/Suspension/Release/Nonreelection/Nonreemployment/Leave/Resignation/Reinstatement (Pursuant to Government Code Section 54957)
4. Conference With Legal Counsel - (Existing Litigation) - Pursuant to Government Code Section 54956.9(a)
5. Conference With Legal Counsel (Anticipated Litigation)
6. Student Expulsion - None Scheduled
7. Conference With Labor Negotiators (Pursuant to Government Code Section 54957.6)
8. Public Employees Complaints

D. OPEN SESSION

10/6/13

CUSD Board Meetings

1. 13/14 046b - MOTION TO RECONVENE THE REGULAR MEETING - Time Being - _____.
2. REPORT OUT OF CLOSED SESSION (Pursuant to Government Code Section 64957.1)

E. COMMUNICATIONS (cont.)

1. Eubanks Conservatory of Music and Arts
2. Information Item - CUSD Williams/Valenzuela/CAHSEE (California High School Exit Exam) Lawsuit Settlement Quarterly Report on Uniform Complaints (Accountability & Compliance)
3. Discussion Item - Re-naming Compton High School Basketball Court
4. Presentation - Common Core State Standards Implementation Expenditure Plan for the 2013/14-2014/15 School Year (Educational Services)
5. Presentation - Local Control Funding Formula

F. REPORT - STUDENT BOARD MEMBER

1. Edgar Preciado - Student Board Member - No Report Available -

G. SUPERINTENDENT'S REPORT

1. College and Career Centers
2. Secondary Counselors
3. Facilities
4. Staff Development
5. Assembly Bill 484
6. Public Forums

H. PUBLIC COMMENTS

1. PUBLIC COMMENTS - Agenda & Non Agenda Items (Pursuant to Education Code 35145.5; and Government Code 54950 et. seq.)

I. SPECIAL SESSION

1. MOTION to Open the Public Hearing on Resolution No. 13/14-08 - Certification of Provisions of Standards-Aligned Instructional Materials - 2013-2014 School Year
2. Open Public Comments on Public Hearing
3. PUBLIC HEARING - Resolution No. 13/14-08 - Certification of Provisions of Standards-Aligned Instructional Materials - 2013-2014 School Year (Accountability & Compliance/Educational Services)
4. Close Public Comments on Public Hearing
5. MOTION to Open the Public Hearing on New Designs STEM Charter School Proposal
6. Open Public Comments on Public Hearing
7. PUBLIC HEARING - New Designs STEM Charter School Proposal
8. Close Public Comments on Public Hearing
9. MOTION to Open the Public Hearing on New Designs Law and Diplomacy Academy Charter Proposal
10. Open Public Comments on Public Hearing

10/6/13

CUSD Board Meetings

11. PUBLIC HEARING - New Designs Law and Diplomacy Academy Charter Proposal
12. Close Public Comments on Public Hearing
13. MOTION to Open the Public Hearing on Barack Obama Charter School Renewal Petition
14. Open Public Comments on Public Hearing
15. PUBLIC HEARING - Barack Obama Charter School Renewal Proposal
16. Close Public Comments on Public Hearing
17. MOTION to Open the Public Hearing on the Common Core State Standards Implementation Expenditure Plan for the 2013/2014-2014/2015 School Year
18. Open Public Comments on Public Hearing
19. PUBLIC HEARING - Common Core State Standards Implementation Expenditure Plan for the 2013/14-2014/15 School Year (Educational Services)
20. Close Public Comments on Public Hearing
21. MOTION to Close All the Public Hearings

J. APPROVAL OF MINUTES

K. RESOLUTIONS

1. 13/14-1026 - Resolution No. 13/14-08 - Certification of Provision of Standards Aligned Instructional Materials - 2013-2014 School Year (Accountability & Compliance/Educational Services)

L. ACTION ITEMS (Non-Consent)

1. 13/14-047 Applications to Attend Professional Conferences/School Business Meetings
2. 13/14-2020 Memorandum of Agreement between the University of Southern California of Social Work and Compton Unified School District (Human Resource)
3. 13/14-2021 Certificated Personnel Actions (Human Resources)
4. 13/14-3007 Classified Personnel Actions (Personnel Commission)
5. 13/14-4024 - Use of Facilities Requests (Facilities, Maintenance, Operation & Transportation)
6. 13/14-4026 - Award Contract (Bid No. 13003) - Tecta America and ADCO Roofing Company (Facilities, Maintenance, Operations & Transportation)
7. 13/14-5044 - Change of Bank - Wells Fargo (Business and Administrative Services)

M. ACTION - BUSINESS/CONSENT ITEMS (Routine Matters) - Consent Items are considered routine and will be enacted, approved, adopted by one motion unless a request for removal, discussion or explanation is received from any Board Member or member of the public in attendance.

1. CONSENT AGENDA ITEMS ARE: Nos. 1031, 1037, 1040, 5041, 5042
2. 13/14-1031 - Consultant Agreement - Stevenson & Associates (Special Projects)
3. 13/14-1037- Affiliation Agreement - Regents of the University of California UCLA BruinCorps- (Secondary Education)
4. 13/14-1040 - Affiliation Agreement - Elevate Your G.A.M.E.
5. 13/14-5041 - Removal of Surplus Items - (Business and Administrative Services - Warehouse)

10/6/13

CUSD Board Meetings

6. 13/14-5042 - Grants, Awards, and Donations (Business and Administrative Services)

N. BOARD COMMITTEE REPORTS

1. Reports - Meetings of Board Committees:

O. COMMENTS OF THE BOARD OF TRUSTEES AND SUPERINTENDENT

1. Board of Trustees Committee Reports

2. Members of the Board of Trustees and the Superintendent to make comments

P. NEXT SCHEDULED MEETINGS OF THE BOARD OF TRUSTEES

1. Upcoming Meetings of the Board of Trustees

Q. ADJOURNMENT

1. 13/14-9012- Adjournment - Time Being: _____ p.m.



Compton Unified School District
Office of the Board of Trustees
501 South Santa Fe Avenue
Compton, CA 90221
(310) 604-6521
(310) 631-7324 - FAX

October 15, 2013

VIA CERTIFIED MAIL
Article #7008 1830 0002 5934 7667

Board of Trustees

Mr. Micah Ali
President

Mrs. Margie Garrett
Vice President

Ms. Satra Zurita
Clerk

Mr. Skyy D. Fisher
Legislative Representative

Mrs. Emma Sharif
Member

Mrs. Marjorie A. Shipp
Member

Mrs. Mae Thomas
Member

Mr. Darin Brawley
Superintendent

**Mr. Glen Noreen, Executive Director
Barack Obama Charter School
1502 Webster Avenue
Claremont, CA 91711-3548**

Dear Mr. Noreen:

The Public Hearing on your Charter School Petitions was held during the October 8th meeting of the Board of Trustees. My thanks to you for formally presenting your petition and sharing other information about your school.

The Board will take formal action on your petition during its meeting on Tuesday, November 12, 2013. If you wish to speak again you may do so by signing the sign-in sheet on the back table. You will be called and allowed three minutes to speak under the Audience Comments section of the agenda.

Should you have any questions regarding this matter, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Darin Brawley", is written over a circular stamp. The stamp contains the name "Darin Brawley" and the title "Superintendent".

**Darin Brawley
Superintendent**

DB/vh

**cc: David Huff, Legal Counsel
Dr. Abimbola Ajala, Asst. Supt., Educational Services, K-12
JaMaiia Bond, Sr. Dir., Curriculum & Instruction, Secondary Ed.
Dr. Ramon Zavala, Director, EL Services**

11/25/13

CUSD Board Meetings



Tuesday, November 12, 2013
Regular Meeting of the Board of Trustees

5:00 p.m.
COMPTON UNIFIED SCHOOL DISTRICT
501 South Santa Fe Avenue
Compton, CA 90221

A. OPENING

1. Call to Order - 5:00 p.m. - Mr. Micah Ali, Board President
2. Roll Call
3. Pledge of Allegiance
4. Invocation

B. STUDENT PERFORMANCE(S)

1. None Scheduled

C. RECOGNITIONS

1. RECOGNITION - "I Have a Dream" Speech Participants - (Secondary Education)

D. CLOSED SESSION

1. PUBLIC COMMENTS on CLOSED SESSION ITEMS
2. Hear Specific Charges Against Employee(s) if Employee(s) Received a Disciplinary Notice and Requests That Charges be Heard in Open Session
3. 13/14 066a - MOTION TO RECESS TO CLOSED SESSION TO CONSIDER ITEMS SET FORTH on the CLOSED SESSION AGENDA, PURSUANT TO GOVERNMENT CODE SECTION 54958 - TIME BEING: _____ p.m.
4. Public Employee Appointments (Pursuant to Government Code Section 54957)
5. Public Employee Discipline/Dismissal/Suspension/Release/Nonreelection/Nonreemployment/Leave/Resignation/Reinstatement (Pursuant to Government Code Section 54957)
6. Conference With Legal Counsel - (Existing Litigation) - Pursuant to Government Code Section 54956.9(a)
7. Conference With Legal Counsel (Anticipated Litigation)
8. Student Expulsion - None Scheduled
9. Conference With Labor Negotiators (Pursuant to Government Code Section 54957.6)
10. Public Employee Performance Evaluation
11. Public Employees Complaints

11/25/13

CUSD Board Meetings

E. OPEN SESSION (Approximately 6:30 p.m.)

1. 13/14 066b - MOTION TO RECONVENE THE REGULAR MEETING - Time Being - _____.
2. REPORT OUT OF CLOSED SESSION (Pursuant to Government Code Section 64957.1)

F. COMMUNICATIONS

1. PRESENTATION - Roosevelt Middle & Rosecrans Elementary School's SMART Goals

G. REPORT - STUDENT BOARD MEMBER

1. Edgar Preciado - Student Board Member

H. SUPERINTENDENT'S REPORT

1. Pre-School
2. College & Career Centers
3. Parent Forum
4. Academies
5. Rounding

I. PUBLIC COMMENTS

1. PUBLIC COMMENTS - Agenda & Non Agenda Items (Pursuant to Education Code 35145.5; and Government Code 54950 et. seq.)

J. SPECIAL SESSION

K. UNFINISHED BUSINESS

1. 13/14-63 CONSIDERATION/ACTION - Contract of Employment - Assistant Superintendent, Educational Services ***APPROVED***
2. 13/14-64 CONSIDERATION/ACTION - Contract of Employment - Chief Administrative Officer ***APPROVED***
3. 13/14-65 CONSIDERATION/ACTION - Contract of Employment - Superintendent ***APPROVED***

L. RESOLUTIONS

1. 13/14-068 Resolution No. 13/14-19 to Deny the Charter School Renewal Petition submitted by Barack Obama Charter School ***APPROVED (To Deny the Charter School Renewal Petition)***
2. 13/14-5047 - Resolution No. 13/14-17 - Notice of Withdrawal from School Excess Liability Fund JPA ***APPROVED***

M. ACTION ITEMS (Non-Consent)

1. 13/14-067 Applications to Attend Professional Conferences/School Business Meetings ***APPROVED***
2. 13/14-071 - Nomination and Announcement of Board's Proposed Personnel Commission Representative ***TABLED***
3. 13/14-1046 Contractual Agreements - Non-Public Schools/Residential Schools and Non-Public Agencies (Office of Special Education - Compton SELPA) ***APPROVED***
4. 13/14-1053 Common Core State Standards Implementation Plan for the 2013/14-2014/15 School Years (Educational Services) ***APPROVED***
5. 13/14-1157 - Consultant Agreement - Fitness Profile, Inc. (Cesar Chavez, Compton and Dominguez High

11/25/13

CUSD Board Meetings

Schools After School Program/Educational Services) ***APPROVED***

6. 13/14-2023 - Certified Personnel Actions (Human Resources) ***APPROVED***

7. 13/14-3009 Classified Personnel Actions (Personnel Commission) ***APPROVED***

8. 13/14-3010 Revised Job Description with Salary Adjustment- Chief of School Police ***APPROVED***

9. 13/14-4030 - Use of Facilities Requests (Facilities, Maintenance, Operation and Transportation)
APPROVED**N. ACTION - BUSINESS/CONSENT ITEMS (Routine Matters) - Consent Items are considered routine and will be enacted, approved, adopted by one motion unless a request for removal, discussion or explanation is received from any Board Member or member of the public in attendance.**

1. CONSENT AGENDA ITEMS ARE: Nos. 1039, 1056, 1145, 1147, 1148, 1149, 1150, 1152, 1153, 1158, 5049, 5050, 5052, 5057

2. 13/14-1039 Affiliation Agreement - Southland Outpatient Recovery Center (Pupil Services)
APPROVED

3. 13/14-1056 - Affiliation Agreement - American University Health Sciences ***APPROVED***

4. 13/14-1145 Ratification - Consultant Agreement - University of California, Irvine (UCI) MESA Program - (Davis, Roosevelt, Whaley Middle Schools, Centennial, Compton, and Dominguez High Schools/Secondary Education) ***APPROVED***

5. 13/14-1147 Affiliation Agreement - All Management Corporation Career & College Club ***APPROVED***

6. 13/14-1148 - Affiliation Agreement - Zeta Rho Foundation (Carver Elementary School/Educational Services) ***APPROVED***

7. 13/14-1149 - Consultant Agreement - Eagle Software (Secondary Education) ***APPROVED***

8. 13/14-1150 - Consultant Agreement - International Center for Leadership in Education (ICLE), Inc. - (Davis Middle School/Secondary Education) ***APPROVED***

9. 13/14-1152 Travel - Rim of the World High School, Lake Arrowhead, CA (Compton High School/Secondary Education) ***APPROVED***

10. 13/14-1153 - Affiliation Agreement - Chadwick & Clinton Elementary Schools' Joint Literacy Project (Educational Services) ***APPROVED***

11. 13/14-1158 - Consultant Agreement - Jennifer Finney-Ellison Educational Consulting (Kate Kinsella Continued Training) (Accountability & Compliance/Educational Services) ***APPROVED***

12. 13/14-5049 Acceptance of Work - AAA Solar Electric, Inc. (Information Technology Department)
APPROVED

13. 13/14-5050 - Grants, Awards, and Donations (Business and Administrative Services) ***APPROVED***

14. 13/14-5052 Amendment No. 1 to Agenda Item No. 13/14-5032 (09/10/2013) Contractual Agreement - In-N-Out Burger (Student Nutrition Services) ***APPROVED***

15. 13/14-5057 Contractual Agreement - EPC IT Solutions (Business and Administrative Services)
APPROVED**O. BOARD COMMITTEE REPORTS**

1. Reports - Meetings of Board Committees:

P. COMMENTS OF THE BOARD OF TRUSTEES AND SUPERINTENDENT

1. Board of Trustees Committee Reports

11/25/13

CUSD Board Meetings

2. Members of the Board of Trustees and the Superintendent to make comments

Q. NEXT SCHEDULED MEETINGS OF THE BOARD OF TRUSTEES

1. Upcoming Meetings of the Board of Trustees

R. ADJOURNMENT

1. 13/14-9014- Adjournment -Time Being: _____p.m.

**Regular Meeting of the Board of Trustees
November 12, 2013****E. OPEN SESSION (Approximately 6:30 p.m.)**

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THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE
ITEMS AS ACCEPTED AND APPROVED BY THE BOARD/SUPERINTENDENT
OF THE COMPTON UNIFIED SCHOOL DISTRICT

[Signature]
DARIN DURANLEY, Superintendent

ITEM # 13/14-063 thru 13/14-1053

I. PUBLIC COMMENTS

1. PUBLIC COMMENTS - Agenda & Non Agenda Items (Pursuant to Education Code 35145.5; and Government Code 54950 et. seq.)

J. SPECIAL SESSION**K. UNFINISHED BUSINESS**

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**Regular Meeting of the Board of Trustees
November 12, 2013**

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13. 13/14-5050 - Grants, Awards, and Donations (Business and Administrative Services) ***APPROVED***
14. 13/14-5052 Amendment No. 1 to Agenda Item No. 13/14-5032 (09/10/2013) Contractual Agreement - In-N-Out Burger (Student Nutrition Services) ***APPROVED***
15. 13/14-5057 Contractual Agreement - EPC IT Solutions (Business and Administrative Services) ***APPROVED***

O. BOARD COMMITTEE REPORTS

1. Reports - Meetings of Board Committees:

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE
ITEMS AS REPORTED AND APPROVED BY THE BOARD SUPERINTENDENT
OF THE COMPTON UNIFIED SCHOOL DISTRICT


DARIN BRAWLEY, Superintendent

ITEM # 13/14-1157 thru 13/14-5057

**COMPTON UNIFIED SCHOOL DISTRICT****Item No. 13/14-068****Resolution No. 13/14-19, To Deny the Barack Obama Charter School Proposal****November 12, 2013**

WHEREAS, the establishment of charter schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600et seq. and implementing Title 5 of the California Code of Regulations;

WHEREAS, the Board of Education of the Compton Unified School District (Board) received a Charter Petition from the Barack Obama Charter School, on or about June 24, 2013 to establish a charter school;

WHEREAS, consistent with Education Code section 47605 subdivisions (b), at a regular meeting on October 8, 2013 as required by law, the Board held a public hearing on the Charter Petition, at which time the Board considered the level of support for the Charter Petition by teachers employed by the District, other employees of the District, and parents;

WHEREAS, the Board has convened on November 12, 2013, to consider whether or not to grant or deny the Charter Petition;

WHEREAS, approvals of charter petitions are governed by the standards and criteria set forth in Education Code section 47605;

WHEREAS, Education Code section 47605 subdivision (b) prohibits the Board from denying a charter school petition unless it makes written factual findings, specific to the particular charter school, setting forth specific facts to support one or more findings, which include:

1. The petition does not contain the number of signatures required by Education Code section 47605 subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;

COMPTON UNIFIED SCHOOL DISTRICT**Item No. 13/14-068/2****Resolution No. 13/14-19, To Deny the Barack Obama Charter School Proposal****November 12, 2013**

3. The charter school presents an unsound educational program for the pupils to the enrolled in the charter school;
4. The petition does contain an affirmation of each condition of each of the conditions described in Education section 47605 subdivision (d) or
5. The petition does not contain reasonably comprehensive descriptions of all elements required in Education Code section 47605 subdivision (b)(5).

WHEREAS, the Board considered the level of public support for the Charter School and has reviewed the Petition and all information received with respect to the Petition, including all exhibits and supporting documentation, and has considered information related to the operation and potential effects of the proposed Charter School, and

WHEREAS, in reviewing the Petition, the Board has been guided by the intent of the California Legislature that Charter Schools are and should become an integral part of the California educational system and that the establishment of Charter Schools should be encouraged, and

WHEREAS, after analysis of the proposed charter, District staff determined that the proposed charter contained deficiencies, and concerns related to the Charter Petition, and recommends that the Board adopt the Findings of Fact incorporated herein by reference and deny the Charter Petition.

- The charter school presents an unsound education program for pupils enrolled in the charter school;
- The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;

COMPTON UNIFIED SCHOOL DISTRICT**Item No. 13/14-068/3****Resolution No. 13/14-19, To Deny the Barack Obama Charter School Proposal****November 12, 2013**

- The petition does not contain the requisite number of signatures required by 47605(a);
- The petition does not contain reasonably comprehensive descriptions of sixteen specific items required to be included in a charter petition.

NOW, THEREFORE BE IT RESOLVED THAT, the Board of Education hereby adopts the findings and conclusions set forth in the Superintendent's Report dated **November 12, 2013**, and the Board further adopts the Findings of Facts, attached hereto as Exhibit A and denies the Charter Petition.

Passed and adopted on this **twelfth day of November, 2013**, at a regularly scheduled meeting of the Board of Education, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

I, Satra Zurita, clerk of the Board of Education of the Compton Unified School District, HEREBY CERTIFY that the foregoing resolution was duly introduced, passed and adopted by the Governing Board at a meeting thereof held on the **12th day of November, 2013**, by a vote of _____ to _____.

IN WITNESS THEROF, I have hereto set my hand this **12th day of November, 2013**.

Satra Zurita, Clerk

EXHIBIT A**FINDINGS OF FACT SUPPORTING DENIAL OF THE BARACK OBAMA CHARTER RENEWAL
PETITION****1. The Charter School Presents an Unsound Educational Program for the Pupils to be Enrolled in the Charter School.**

Pursuant to California Code of Regulations, title 5, section 11967.5.1, a charter petition is an “unsound educational program” if it involves activities that would present the likelihood of physical, educational, or psychological harm to the affected pupils and/or is not likely to be of educational benefit to the pupils who attend.” (Cal. Code. Regs., tit., §11967.5.1, subds. (b)(1), (2).)

The academic performance of BOCS is summarized in the tables below:

Summary of Academic Performance Index Growth

Year	Base API	Growth API	API Growth	Met Growth Targets (School Wide)	Met Growth API Targets (Subgroups)	Growth API Targets (School Wide and Subgroups)
2010-2011	614	581	-33	No	No	No
2011-2012	575	750	175	Yes	Yes	Yes
2012-2013	751	755	4	No	No	No

Summary of State API Rankings

Year	API State Rank	API Similar Schools Rank
2010	1	1
2011	1	1
2012	2	5

Summary of Adequate Yearly Progress (AYP)

Year	Made AYP	# AYP Criteria Met	% at or above proficient Language Arts	% at or above proficient Mathematics
2010	No	6/13	24.6	19.4
2011	No	6/13	16.8	18.1
2012	Yes	13/13	40.5	48.7
2013	No	11/13	34.7	56.6

Program Improvement

Year	Program Improvement Status	Number of Years
2011-2012	PI	First Year of Implementation
2012-2013	In PI	1
2013-2014	In PI	2

A review of BOCS's academic performance during the course of its operation demonstrates the charter school presents an unsound educational program. In its first API reporting cycle, BOCS' API dropped an astounding 33 points from a 2010 Base API of 614 to a dismally low 2011 growth API of 581.¹ BOCS had the lowest 2010 Base API and 2011 growth API of any elementary school within the District. In 2010 and 2011, BOCS had an API state rank and similar schools rank of 1, meaning that it was in the bottom 10% of all schools in the state and in the bottom 10% of 100 similar schools. In 2010 and 2011 BOCS failed to make its adequate yearly progress, meeting only six out of thirteen AYP criteria. In 2010, only 24.6% of its students were proficient or above in language arts and only 19.4% of its students were proficient or above in mathematics. BOCS' student proficiency levels were even lower in 2011. In 2011, only 16.8% of its students were proficient in language arts and only 18.1% of its students were proficient in mathematics. Although, BOCS' academic performance improved during the 2011-2012 API

¹ All academic performance data was acquired from the California Department of Education ("CDE") website.

reporting cycle, its 2012 growth API of 750, it still 50 points under the API target of 800 set by the State Board of Education.

Moreover, even though BOCS achieved a 2013 API score of 755, the highest API score it has attained in its operation, 18 of the 22 other elementary schools in Compton Unified had higher 2013 growth API scores, placing BOCS in the bottom fourth of all elementary schools in Compton Unified. In 2013, BOCS again failed to make adequate yearly progress. In 2013, the required percentage of students proficient or above for elementary schools was 89.2 in English-language arts and 89.5 in mathematics. Even with the 2012-2013 school year being the most successful in BOCS' history, the proficiency of BOCS's students fell 54.5 percentage points short in language arts and 32.9 percentage points short in mathematics.

BOCS is now in its second year of Program Improvement ("PI") under the federal No Child Left Behind (NCLB) Act. A school is identified for PI when, for each of two consecutive years, the school does not make AYP in the same content area (English-language arts [ELA] or mathematics) school-wide or for any numerically significant subgroup, or on the same indicator ([API] school-wide. A school that was in PI during 2012–13 and does not make AYP in 2013 will advance to the next level of PI for 2013–14 and be required to immediately implement the applicable ESEA requirements. As BOCS did not make AYP in 2013, it advanced to the next level of PI.

Based on the foregoing, it is evident that BOCS would present the likelihood of educational harm to its pupils or at the very least, is not likely to be of educational benefit to the pupils who attend. Therefore, BOCS presents an "unsound educational program" for the pupils to be enrolled in the charter school.

2. The Petitioners are Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition.

Pursuant to California Code of Regulations, title 5, section 11967.5.1, charter petitioners are "demonstrably unlikely to successfully implement the program" if the petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school. (Cal. Code. Regs., tit., §11967.5.1, subds. (c)(2).

(a) Failure to Obtain Accreditation from the Western Association of Schools and Colleges

The Western Association of Schools and Colleges ("WASC") is one of the six regional associations that accredit public and private schools, colleges and universities in the United States. WASC accredits institutions in California and its Accrediting Commission for Schools is responsible for the accreditation of schools below the college level, such as BOCS.

WASC accreditation (1) certifies to the public that the school is a trustworthy institution of learning; (2) validates the integrity of the school's program and student transcripts; (3) fosters improvement of the school's programs and operations to support student learning; (4) assures a school community that the school's purposes are appropriate and being accomplished through a viable education programs, (5) provides a way to manage change through regular assessment, planning, implementing, monitoring and reassessment, and (6) assists a school in establishing its priority areas for improvement as a result of the perpetual accreditation cycle.

BOCS has not been accredited by WASC. (Renewal Petition, p. 47.) In its Original Petition for establishment of the charter school, BOCS stated that by September 30, 2008, BOCS would submit a request for WASC accreditation. BOCS' goal was to first achieve interim accreditation. BOCS stated it would apply for full accreditation in its third year of operation. BOCS has now been in operation for over four years, and has not yet submitted a request for accreditation. BOCS' Petition states that in October 2014, it will submit a Request for a WASC Affiliation form. BOCS hopes to achieve interim accreditation by March 2016. BOCS made similar assurances regarding accreditation in its Original Petition, but failed to follow through.

(b) Failure to Meet Measurable Student Outcomes

A charter petition must include a reasonable description of measurable pupil outcomes. (Cal. Ed. Code, § 47605, subd. (b)(5)(B). BOCS failed to meet the measurable pupil outcomes set forth in its Original Petition. In its November 29, 2007 petition, in regards to Science, BOCS stated "50% of its students would achieve at the basic or above level on the CST the first year..., 65% the third, then continue to increase each year." However, in 2010, only 30% of its students were at the basic level or above in science, with only 17% of students being proficient and no students attained an advanced level. In its 3rd year, only 58% of BOCS's students had achieved a basic level in science, and **only 6% were proficient** and no students achieved an advanced level.

BOCS did not successfully implement the program set forth in its Original Petition and it is unlikely it will meet the measurable student outcomes set forth in the Renewal Petition. In its Renewal Petition, BOCS outlines the performance goals it will achieve. BOCS states, "[a]t least 50% of students will achieve at the proficient level and above on CST" in English Language Arts. (Renewal Petition, p. 49) In 2010, only 24.6% of BOCS students were proficient or above in language arts, in 2011 that number dropped to 16.8%. In 2012, 40.5% of students were proficient or above. However, in 2013, only 34.75% of its students were proficient or above in language arts. BOCS' proficiency levels have never attained 50%.

BOCS states, "[a]t least 40% of students will achieve at the proficient level and above on CST" for science. (Renewal Petition, p. 50.) In 2010, only 17% of BOCS students were proficient in

science. In 2011, only 14% of BOCS were proficient or above in science. In 2012, **only 6%** were proficient or above in science. In 2013, again **only 6%** of BOCS students were proficient or above in science. BOCS science proficiency levels have been continuously dropping during the school's operation and have been consistently below the 40% objective stated in BOCS' Renewal Petition.

3. The Petition Does Not Contain the Number of Signatures Required by Subdivision (a) of Education Code Section 47605.

Education Code section 47605, subdivision (a)(1) states that a petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by the number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.

The Renewal Petition does not contain the signatures required by Education Code section 47605, subdivision (a). California Code of Regulations, title 5, 11966.4, subdivision (a)(2)(A) solely waives the signature requirement for renewal petitions submitted pursuant to Education code section 47607, not section 47605, subdivision (k)(3). BOCS submitted its Renewal Petition pursuant to Education Code section 47605, subdivision (k)(3) and, therefore, was required to submit the requisite number of signatures pursuant to subdivision (a).

By letter dated September 3, 2013, the District advised BOCS that it had not properly submitted a charter renewal petition pursuant to Education Code section 47605, subdivision (k)(3). As stated in the District's September 3, 2013 correspondence to BOCS, because Education Code section 47607 is not applicable, BOCS was required to comply with the signature requirements of Education Code section 47605, subdivision (a), but failed to do so. The District further advised BOCS that its failure to meet the signature requirements of Education Code section 47605, subdivision (a)(1) prevented its charter renewal petition from receiving consideration from the District's governing board. (Ed. Code, § 47605, subd. (b).)

BOCS did not submit a charter renewal petition in compliance with Education Code section 47605, subdivision (k)(3), including the requisite signatures of parents or teachers pursuant Education Code section 47605, subdivision (a).

On September 25, 2013, BOCS resubmitted its charter renewal petition, without the requisite signatures of parents or teachers pursuant Education Code section 47605, subdivision (a).

4. The Petition Does not Contain a Reasonably Comprehensive Description of all Sixteen Required Elements of a Charter Petition.

(a) Description of Measurable Pupil Outcomes (Element B)

- The Renewal Petition does not identify the school's API and AYP targets during the term of the charter in order to ensure the school is achieving student outcomes.
- The school does not provide growth targets for the school's numerically significant subgroups during the term of the charter.

(b) Admission Requirements (Element H)

The Renewal Petition fails to affirm that in the event of a random public drawing is implemented, admission priority preference shall be extended to students who reside with the District. Preference for residents of the District is second to last in the order of admission preferences which violates section 47605, subdivision (d)(2)(B). Sibling preferences and relatives of Ingenium Schools employees are listed as having more priority than District students in violation of section 47605, subdivision (d)(2)(B).

(c) Suspension and Expulsion Procedures (Element J)

- The Renewal Petition fails to state the maximum number of days students can be suspended in a given academic year.
- The Renewal Petition fails to afford students the right to appeal an expulsion finding.
- The Renewal Petition does not identify protocol for providing an interim educational placement and services during suspension and pending expulsion proceedings.
- The Renewal Petition fails to sufficiently address the rehabilitation and readmission rights of BOCS students following expulsion, including failing to provide a description of the reinstatement application process, what data and information will be considered, notification and reasons for denial, and appeal rights if not reinstated.
- In order to assure due process of students enrolled in BOCS, the Renewal Petition does not state that students will not face formal discipline for attendance issues such as truancy, tardiness or absences.

(d) Dispute Resolution Procedures (Element N)

The District does not agree to the dispute resolution procedures described in the Renewal Petition. In addition, the Renewal Petition fails to identify the timeline for submitting a

“dispute statement.” The Renewal Petition impermissibly requires the District Board of Trustees to provide written notice of grounds for revocation in the “dispute statement” in violation of Education Code section 47607. Education Code section 47607 outlines the requirements and procedures for revocation of a charter.

SUMMARY OF FINDINGS

For the aforementioned reasons, the District concludes that BOCS: (1) presents an unsound educational program for pupils to be enrolled in the charter school; (2) is demonstrably unlikely to successfully implement the program set forth in the Renewal Petition; (3) failed to include the number of signatures required by subdivision (a) of Education Code section 47605 in the Renewal Petition; and (4) failed to include reasonably comprehensive description of all sixteen required elements of a charter petition.

Therefore, the District finds that granting the Renewal Petition would be inconsistent with sound educational practice. (Ed. Code § 47605, subd. (b).)

Based on the foregoing, the Renewal Petition of BOCS warrants **DENIAL**.

Compton Unified School District Findings and Petitioner's Responses



Compton Unified School District
Office of the Board of Trustees
501 South Santa Fe Avenue
Compton, CA 90221
(310) 604-6521
(310) 631-7324 - FAX

November 26, 2013

VIA CERTIFIED MAIL
Article #7008 1830 0002 5934 7674

Board of Trustees

Mr. Micah Ali
President

Mrs. Margie Garrett
Vice President

Ms. Satra Zurita
Clerk

Mr. Skyy D. Fisher
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Mrs. Emma Sharif
Member

Mrs. Marjorie A. Shipp
Member

Mrs. Mae Thomas
Member

Mr. Darin Brawley
Superintendent

Mr. Glen Noreen, Executive Director
Barack Obama Charter School
1502 Webster Avenue
Claremont, CA 91711-3548

Dear Mr. Noreen:

This is to report that at its meeting on November 12, 2013 the Board of Trustees took action to deny the charter school proposal that you submitted on June 24, 2013. The proposal was denied for the reasons set forth in the attached staff analysis.

Should you have any question regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darin Brawley", is written over a circular blue stamp. The stamp contains the text "Darin Brawley Superintendent" in a bold, sans-serif font.

Darin Brawley
Superintendent

DB/vh

ATTACHMENT

cc: **Dr. Abimbola Ajala, Asst. Supt., Educational Services, K-12**
JaMaiia Bond, Sr. Dir., Curriculum & Instruction, Secondary Ed.
Dr. Ramon Zavala, Director, EL Services

MEMORANDUM

TO: Honorable Members of the Board of Trustees
Compton Unified School District

FROM: Darin Brawley

DATE: November 5, 2013

RE: Staff Analysis & Recommendation: Barack Obama Charter Renewal Petition

Introduction

The following is a Staff Analysis of the proposed Charter Renewal Petition ("Petition") of the Barack Obama Charter School ("BOCS") which was submitted to the Compton Unified School District ("District") on or about June 24, 2013. A public hearing on this Petition was held at the September 8, 2013 meeting of the District's Board of Trustees ("Board").

This Staff Analysis sets forth the District's analysis of the Petition and a recommendation regarding its disposition. To assist members of the Board in its decision, this analysis includes a brief overview, history and legislative summary of charter schools. Also attached is the Petition that was submitted by BOCS. Background information regarding charter schools generally was obtained in substantial part from two Internet resources: www.uscharterschools.org and www.cde.ca.gov.

Overview

Charter schools are nonsectarian public schools of choice that operate with freedom from many of the regulations that apply to traditional public schools. The "charter" establishing each such school is a performance contract detailing the school's mission, program, goals, students served, methods of assessment, and ways to measure success. The length of time for which charters are granted varies, but most are granted for periods of time between 3 and 5 years. At the end of the term, the entity granting the charter may renew the charter school's contract. Charter schools are accountable to their sponsor (usually a state or local school board) to produce positive academic results and adhere to the charter contract. The basic concept of charter schools is that they exercise increased autonomy in return for this accountability. They are accountable for both academic results and fiscal practices to several groups: the sponsor that grants them, the parents who choose them, and the public that funds them.

Brief History

The charter school movement has roots in a number of other reform ideas, from alternative schools, to site-based management, magnet schools, public school choice, privatization, and community-parental empowerment. The term "charter" may have originated in the 1970s when New England educator Ray Budde suggested that small groups of teachers be given contracts or

“charters” by their local school boards to explore new approaches. Albert Shanker, former president of the American Federation of Teachers, then publicized the idea, suggesting that local boards could charter an entire school with union and teacher approval. In the late 1980s, Philadelphia started a number of schools-within-schools and called them “charters.” Some of them were schools of choice. The idea was further refined in Minnesota and based on three basic values: opportunity, choice, and responsibility for results.

In 1991, Minnesota became the first state to pass a charter school law; with California following suit in 1992. By 1995, 19 states had signed laws allowing for the creation of charter schools, and by 1999, that number increased to 36 states, Puerto Rico, and the District of Columbia. Charter schools are one of the fastest growing innovations in education policy, enjoying broad bipartisan support from governors, state legislators, and past and present secretaries of education. President Clinton also supported them, calling in his 1997 State of the Union Address for the creation of 3,000 charter schools by the year 2000 and delivering remarks for the 1999 Charter Schools National Conference. Since 1994, the federal Department of Education has provided grants to support states’ charter school efforts and the amount of funding has grown exponentially from \$6 million in fiscal year 1995, to \$100 million in fiscal year 1999.

Legislative Summary

Passed in 1992 and amended several times since then, California’s charter school law (Education Code section 47600 *et seq.*, also referred to as the “Charter Schools Act”) allows for an unlimited number of charters to be granted by local school districts and county boards, but sets a statewide cap. Charter terms may be granted for up to 5 years. General purpose and categorical funding for charter schools is comparable with other public schools, and charter schools may receive funds directly from the state. Charter school students are required to take state assessments, including the high school exit exam. The charter school is exempt from state and local education rules and regulations, except as specified in the legislation.

General Provisions Regarding Charter Petitions

Once a charter school petition is approved, the charter generally becomes a controlling document, constituting the agreement between the district and the charter school. For this reason, each of the major terms controlling the operation of the charter school as well as its relationship with the district should be contained in the proposed charter.

In reviewing the charter petition, the District should be aware of certain general provisions of the Charter Schools Act. In Education Code section 47605(b), the Legislature made explicit the requirement that school districts reviewing charter petitions bear in mind the Legislature’s intent that charter schools become an integral part of the educational program of California and that charter schools should be encouraged. Despite this explicit Legislative intent, a charter school petition must meet various threshold requirements as set forth in Education Code section 47605(a). If a charter school petition meets these threshold requirements, a governing board may still deny the petition if the board makes written factual findings specific to the particular charter petition being reviewed, setting forth facts that support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school;

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in that petition;

(3) The petition does not contain the number of signatures required by Section 47605(a);

(4) The petition does not contain an affirmation of various nondiscrimination and admissions requirements; or

(5) The petition does not contain reasonably comprehensive descriptions of sixteen specific items required to be included in a charter petition.

Education Code § 47605(b).

Moreover, the State Board of Education has promulgated regulations regarding charter school petitions. See 5 Cal. Code Reg. § 11967.5.1. Although these regulations generally govern appeals on denials of charter petitions at the local level, they shed light on the State Board of Education's understanding of the meaning of the elements specified in Education Code section 47605(b).

Finally, the Model Charter School Application ("Model Application"), approved by the California State Board of Education at its November 2003 meeting, contains criteria and suggestions as to how a petition can comply with Section 47605(b). The Model Application is provided for use by charter petitioners and authorizers as a tool in developing and evaluating charter petitions at all levels of the charter petition approval process. Use of the Model Application does not automatically assure compliance with all applicable laws; nor is it mandatory. It is exemplary and offered to strengthen the processes of charter development and ensure rigor and consistency of the petitions statewide.

Summary of State Board of Education Charter Petition Appeals

Since 1992, 71 charter petition appeals have been submitted to the State Board of Education ("SBE") for consideration. Of these 71 petitions, (a) the SBE approved 28 petitions following denial by a local district, (b) 28 petitions were withdrawn by the petitioners prior to formal consideration by the SBE, (c) the SBE denied 8 petitions, (d) the SBE did not take formal action on 3 petitions, and (e) 4 petitions are currently pending before the SBE.

Currently, the SBE authorizes 33 charter schools. Of those 33, 32 charter schools are in operation, and one charter school has been approved and plans to open in the 2013-14 school year.

Staff Analysis of the Barack Obama Charter School Petition Renewal

Staff has comprehensively reviewed the Petition, and recommends the Petition be **denied**.

APPLICABLE LAW

Education Code section 47605, subdivision (b) outlines the standards and criteria for evaluating a charter petition. A school district governing board shall grant a charter for the operation of a school under Education code section 47605 if it is satisfied that granting the charter is consistent with sound educational practice.

Education Code section 47605, subdivision (b) provides that the governing board of a school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a) of Education Code section 47605.
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d) of Education Code section 47605.
- (5) The petition does not contain a reasonably comprehensive description of all required 16 required elements of a charter petition.

Staff was also guided in its analysis by the State Board of Education regulations for the evaluation of charter petitions (Cal. Code Regs., tit. 5, § 11967.5.1 et seq.) Although these regulations apply to the State Board of Education's review of charter petitions, they provide further guidance as to the meaning of the elements specified in Education Code section 47605, subdivision (b).

GROUND FOR DENIAL

Staff has comprehensively reviewed the Petition, and recommends the Petition be **denied**. Staff recommends the Petition be denied for the following reasons listed in Education Code section 47505, subdivision (b):

- **The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.**
- **The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.**
- **The petition does not contain the number of signatures required by subdivision (a) of Education Code section 47605.**
- **The petition does not contain a reasonably comprehensive description of all 16 required elements of a charter petition.**

Furthermore Staff finds that granting the Petition would be inconsistent with sound educational practice. (Ed. Code § 47605, subd. (b).)